

Mag. No. 20-1504-M

AFFIDAVIT

I, WALTER J. SZPAK, being duly sworn, do hereby state:

1. I have been employed as a Special Agent of the Federal Bureau of Investigation (FBI) for approximately fourteen years. I am presently assigned to investigate domestic terrorism crime matters, including, but not limited to, bomb threats, threats to critical infrastructure, acts of terrorism, and weapons of mass destruction violations.

2. Any facts stated within this affidavit were witnessed by myself, another duly sworn FBI Special Agent, or a sworn Law Enforcement Officer.

3. Based upon my personal consultation with Philadelphia Police Department Detective Michael Wojciechowski and his personal participation in this investigation, and on the basis of the above-noted sources of information, I submit that the facts contained in the paragraphs below demonstrate that there is probable cause to believe that, on or about September 9, 2020, in Philadelphia, Pennsylvania, LUTHER BALDWIN, III (BALDWIN), date of birth August X, 1968, knowingly and intentionally:

a. assaulted, resisted, opposed, impeded, intimidated and interfered with an officer of the United States, as designated in Title 18, United States Code, Section 1114, that is, Transportation Security Officer (TSO) C.H., while Officer C.H. was engaged in the performance of her official duties, in violation of Title 18, United States Code, Section 111(a)(1); and

b. assaulted, resisted, opposed, impeded, intimidated and interfered with an officer of the United States, as designated in Title 18, United States Code, Section 1114, that is, TSO J.M., while Officer J.M. was engaged in the performance of his official duties, in violation of Title 18, United States Code, Section 111(a)(1).

4. On or about September 9, 2020, BALDWIN entered the screening line reserved for physically disabled passengers at the Philadelphia International Airport, in the Eastern District of Pennsylvania. (At this time, I am not aware that BALDWIN has any physical disability.) BALDWIN refused to display his identification or boarding pass to the Transportation Security Officer Travel Document Checker (TDC). The TDC verbally instructed BALDWIN to stop; however BALDWIN advanced to the screening line without authorization.

5. TSO C.H. stood in the opening of the screening pod (the Advanced Imaging Technology (AIT) enclosure), and verbally instructed BALDWIN to stop, and instructed BALDWIN to refrain from proceeding through the checkpoint. BALDWIN then hit Officer C.H. in the area of her knees with BALDWIN's roller suitcase. The impact of the blow to her legs caused Officer C.H. to fall backwards off the ramp to the AIT enclosure.

6. At that time, Officer C.H. yelled for a supervisor. In response, Lead TSO J.M. responded and instructed BALDWIN to stop and to go back to the unsecure side of the checkpoint. BALDWIN then grabbed Officer J.M. by the upper body, and threw Officer J.M. to the ground.

7. TSO T.B. was in the lane adjacent to Officer J.M. when BALDWIN threw Officer J.M. to the ground. Concerned that BALDWIN would continue to assault Officer J.M., or that BALDWIN would continue into the secure side of the airport where innocent passengers would be vulnerable to his attack, Officer T.B. tackled BALDWIN to the ground, and restrained BALDWIN until Philadelphia Police Department (PPD) Officers could respond to the scene. BALDWIN continued to fight Officer T.B. by kicking Officer T.B. and attempting to escape his grasp.

8. PPD Police Officer James Lanigan was the first PPD officer to respond to the scene. Officer Lanigan placed BALDWIN in custody. When Officer Lanigan asked BALDWIN his name and travel destination, in an attempt to calm him down, BALDWIN responded with the statements of “no comment” and “you are the police, figure it out.” BALDWIN was then placed in custody at the PPD Airport Unit.

9. Based upon the facts set forth above, I request an arrest warrant for LUTHER BALDWIN, III, charging him with two counts of assault on a federal officer in the performance of official duties, each in violation of 18 U.S.C. §111(a)(1).

/s/ Walter J. Szpak
WALTER J. SZPAK,
Special Agent,
Federal Bureau of Investigation

Subscribed and sworn to before me
this 9th day of September, 2020,
in Philadelphia, PA

/s/ Lynne A. Sitarski
HONORABLE LYNNE A. SITARSKI
United States Magistrate Judge